

Staff Report

PLANNING DIVISION DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Linda Mitchell, Principal Planner, linda.mitchell@slcgov.com

Date: May 7, 2020

Re: PLNPCM2019-01147 – Detached Accessory Dwelling Unit

Conditional Use

PROPERTY ADDRESS: 1371 South 500 East **PARCEL ID:** 16-18-226-004-0000

MASTER PLAN: Central Community – Low Density Residential

ZONING DISTRICT: R-1/5,000 Single-Family Residential

REQUEST: Alexis Suggs, property owner representative, is requesting Conditional Use

approval for a detached accessory dwelling unit (ADU) on a property located at approximately 1371 South 500 East. The detached ADU would have a gross floor area of approximately 650 square feet. The property is zoned R-1/5,000 Single-Family Residential, which requires Conditional Use approval for the construction

of an ADU.

RECOMMENDATION: Based on the information in this staff report, Staff recommends that the Planning Commission approve the Conditional Use request as proposed, and subject to complying with the following conditions:

- 1. Compliance with all Department/Division comments and conditions as noted in Attachment G.
- 2. The property owner shall comply with the registration process as outlined in section 21A.40.200F of the Salt Lake City Zoning Ordinance.

ATTACHMENTS:

- A. Vicinity Map
- B. Plans
- C. Site Visit Photographs
- D. Analysis of Standards Accessory Dwelling Units
- E. Analysis of Standards Conditional Use
- F. Public Process and Comments
- **G.** Department Review Comments

PROJECT DESCRIPTION:

This petition for a Conditional Use is for a detached ADU to be placed in the rear yard of the existing single-family dwelling located at approximately 1371 South 500 East. The subject parcel is located on 500 East, between Harrison Avenue and Browning Avenue.

The proposed detached ADU would be located in the southeast corner of the rear yard. The existing detached shed would be removed. The existing detached garage would be demolished and replaced. The building footprint is approximately 650 square feet. It would be a one-story structure containing one (1) bedroom and one (1) bathroom with a shed roof measured approximately 14 feet 3 inches (14' - 3") in height. The primary exterior building material is six inch (6") vertical wood siding. The proposed detached ADU has a patio area that would be screened by a new six-feet (6') high wooden fence. The ADU



entrance would face the south interior lot line (Figure 1). There are several windows on the south and west elevations (Figure 2). The proposed window on the north elevation will be within 10 feet of the side property line; therefore, it is an obscured window. The proposed windows are similar in size and profile as the windows found on the principal structure. The pedestrian access goes through the proposed concrete walkway to the existing driveway, starting from the [west] ADU patio gate to 500 East.

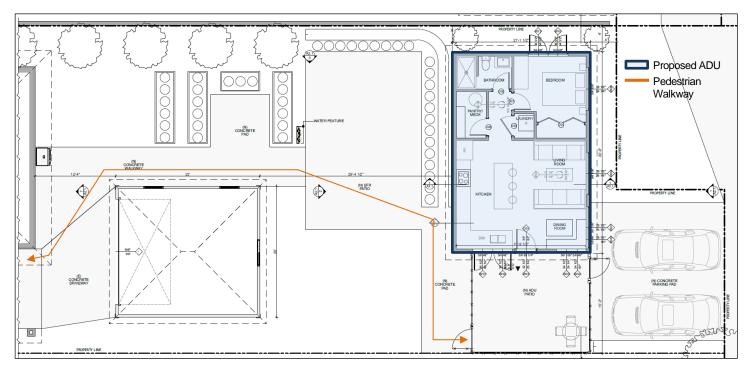


Figure 1. Rear Yard Site Plan

The parking for the existing house is accommodated by two (2) off-street parking spaces in the detached garage and an additional parking space under the attached carport, both accessed from 500 East. The proposal would provide two (2) parking spaces for the ADU, where only one (1) parking space is required and it would be located off-street in the rear yard with access from the alley.



Figure 2. Project Renderings (Top: Southwest Elevation; Bottom: Southeast Elevation)

KEY CONSIDERATIONS:

1. Parking Location

The Zoning Ordinance requires one (1) parking space for an ADU. The required parking space may be located on the property or on the street, if legal on-street parking space is available in the front of the property. In this case, two (2) off-street parking spaces would be provided in the rear yard with access from the alley.

2. Housing Goals

The proposed ADU is consistent with the goals and policies outlined within The Growing SLC Housing Plan. One of the goals outlined in the Housing Plan, includes; increasing housing options. Accessory dwelling units provide and promote diverse housing stock through providing additional units, while minimizing neighborhood impacts. The proposed ADU is inline with the goals established within the Housing Plan. Housing goals are also addressed under Standard 3 within Attachment E.

3. Central Community Master Plan

The proposed ADU is consistent with the following Residential Land Use Goals/Policies included in the Central Community Master Plan:

- Encourage the creation and maintenance of a variety of housing opportunities that meet social needs and income levels of a diverse population.
- Ensure preservation of low-density residential neighborhoods.
- Encourage a mix of rental properties for those who cannot afford or do not choose home ownership (RLU-3.2).
- Support the efforts of the Housing Division and the Redevelopment Agency to provide residential construction in all qualifying neighborhoods within the Central Community (RLU3.5).

The proposed ADU is consistent with the Central Community Master Plans as discussed in Attachment E.

PLANNING COMMISSION REVIEW:

The property is zoned R-1/5,000 Single-Family Residential. A Conditional Use approval is required for any ADUs that are located in a single-family zoning district. For complete analysis and findings for compliance with zoning standards for Accessory Dwelling Units and Conditional Use standards, please refer to Attachment D and Attachment E.

NEXT STEPS:

Approval of Conditional Use

If approved, the applicant may proceed with the project, subject to all conditions imposed by City departments and/or the Planning Commission and will be required to obtain all necessary permits. Building permits and certificate of occupancy for the building would only be issued contingent upon all conditions of approval are met, including the registration process requirements outlined in 21A.40.200F of the zoning ordinance.

Denial of Conditional Use

State and City code require that a Conditional Use be approved if reasonable conditions can be imposed on the use to mitigate any reasonably anticipated detrimental effects of the use. A Conditional Use can only be denied if the Planning Commission finds that reasonably anticipated detrimental effects cannot be mitigated with the imposition of reasonable conditions.

If denied, the applicant would not be permitted to construct an ADU. An accessory building would be permitted on the property subject to compliance with the development standards and requirements of the R-1/5,000 Single-Family Residential District; however, no portion of the building may be used as a dwelling unit.

ATTACHMENT A: VICINITY MAP



GUIDO ADU

1371 S 500 E SALT LAKE CITY, UT 84105



ARCHITECTURE

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84105

GUIDO ADU 1371 S 500 E LAKE CITY, UT

PROJECT TEAM

ARCHITECT:

STRUCTURAL ENGINEER:

PROJECT RENDERING



SHEET INDEX

Name SHEET INDEX COVER SHEET 3D VIEWS SITE PLAN FIRE ACCESS PLAN FIRST FLOOR PLAN NEW ELEVATIONS

0003 0004 0005 0006 0007 0008 0009 0010 0011 0012 ELECTRICAL/PLUMBING PLANS GENERAL STRUCTURAL NOTES

STRUCTURAL PLANS STRUCTURAL DETAILS

ENERGY REQUIREMENTS

BUILDING ENVELOPE REQUIREMENTS - CLIMATE ZONE 5

0.32
9.055
NOT REQUIRED
NOT REQUIRED
R-49
R-49
R-49
R-50 CONTINUOUS OR R-19 CAVITY
R-10 C2 DEEP
R-10 2: DEEP
R-13 OR R-17 WHEN MORE THAN HALF THE
INSULATION IS ON THE INT. OF THE WALL
R-15 CONTINUOUS OR R-19 CAVITY

GUIDO ADU BUILDING ENVELOPE

UTAH ENERGY CODE

PROJECT MUST BE IN COMPLIANCE WITH ALL CRITERIALISTED IN TABLE R402.4.1.1 - AIR BARRIER AND INSULATION INSTALLATION PROVIDED IN UTAH AMENDMENTS TO CHAPTER 4 OF THE 2012 IECC.

PROJECT MUST BE IN COMPLIANCE WITH ALL CRITERIA LISTED IN IRC SECTION N1102.4 (IECC 402.4.1.1) & TABLE N1102.4.1.1, AS WELL AS ALL UTAH STATE CODE AMENDMENTS TO IRC & IECC. THE BUILDING SHALL BE TESTED & VERIFIED AS HAVING AN AIR LEAKAGE RATE OF NOT EXCEEDING 3 AIR CHANGES PER HOUR AT 50Pα (ACH50).

VICINITY PLAN



GENERAL PROJECT INFO

PROJECT ADDRESS: 1371 S 500 E SALT LAKE CITY, UT 84105 SCOPE OF WORK: NEW ADU ZONING DISTRICT: R-1-5000 GOVERNING BUILDING CODES: 2015 IRC CONSTRUCTION: TYPE VB OCCUPANCY: GROUP R-3 ARCHITECT: STRUCTURAL ENGINEER

LOT AREA TOTAL EXISTING BUILT SURFACE COVERAGE 2040 TOTAL NEW BUILT SURFACE COVERAGE 3305 40% 1090 22.4%

VISIONS:

ROJECT NO: DATE: 5/5/20

SCALE: AS NOTED IN DRAW

COVER SHEET A0.1







BRACH DESIGN ARCHITECTURE 801-865-7648 dave@brachdesign.com

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GUIDO ADU 1371 S 500 E SALT LAKE CITY, UT 84105

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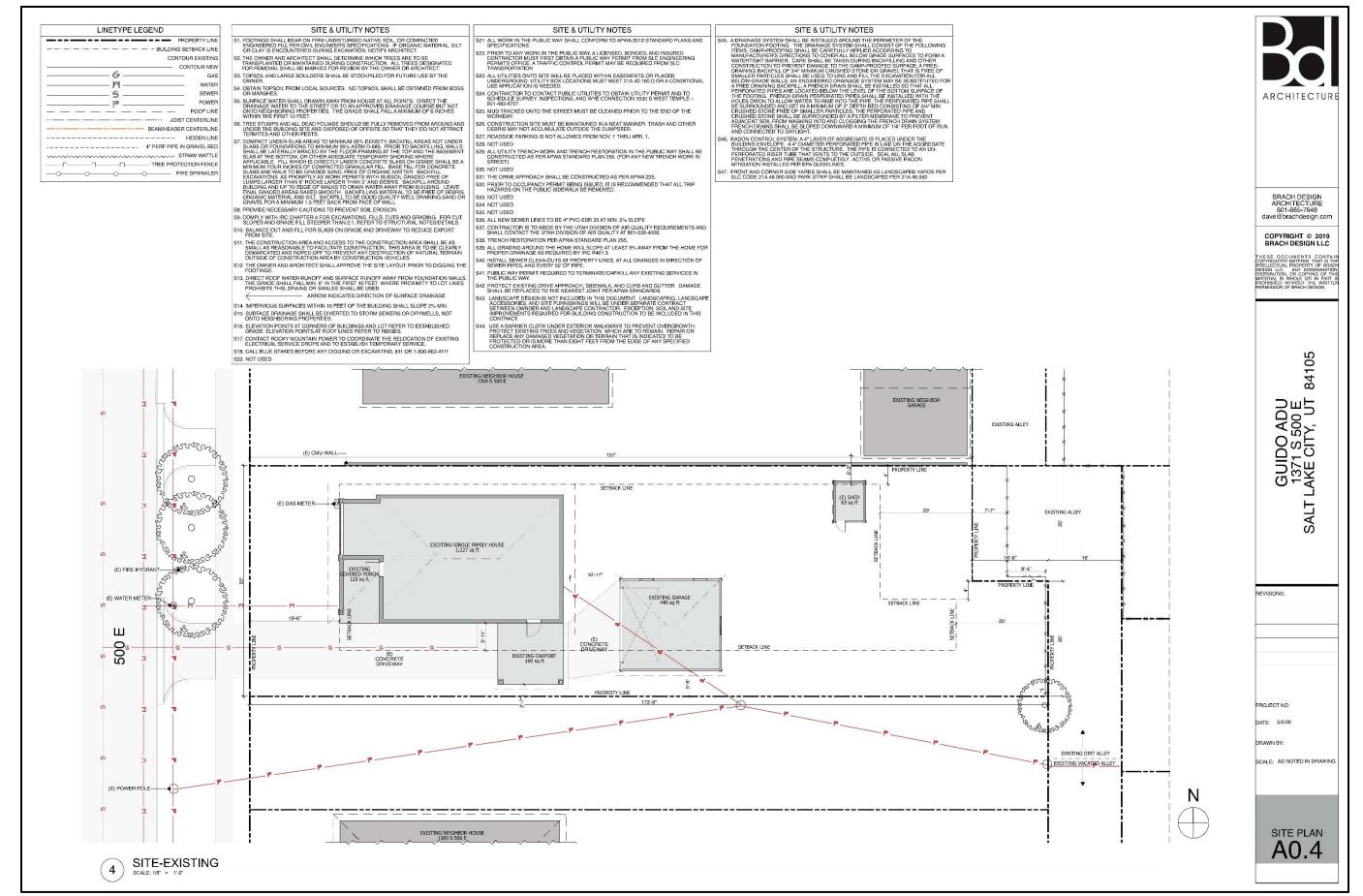
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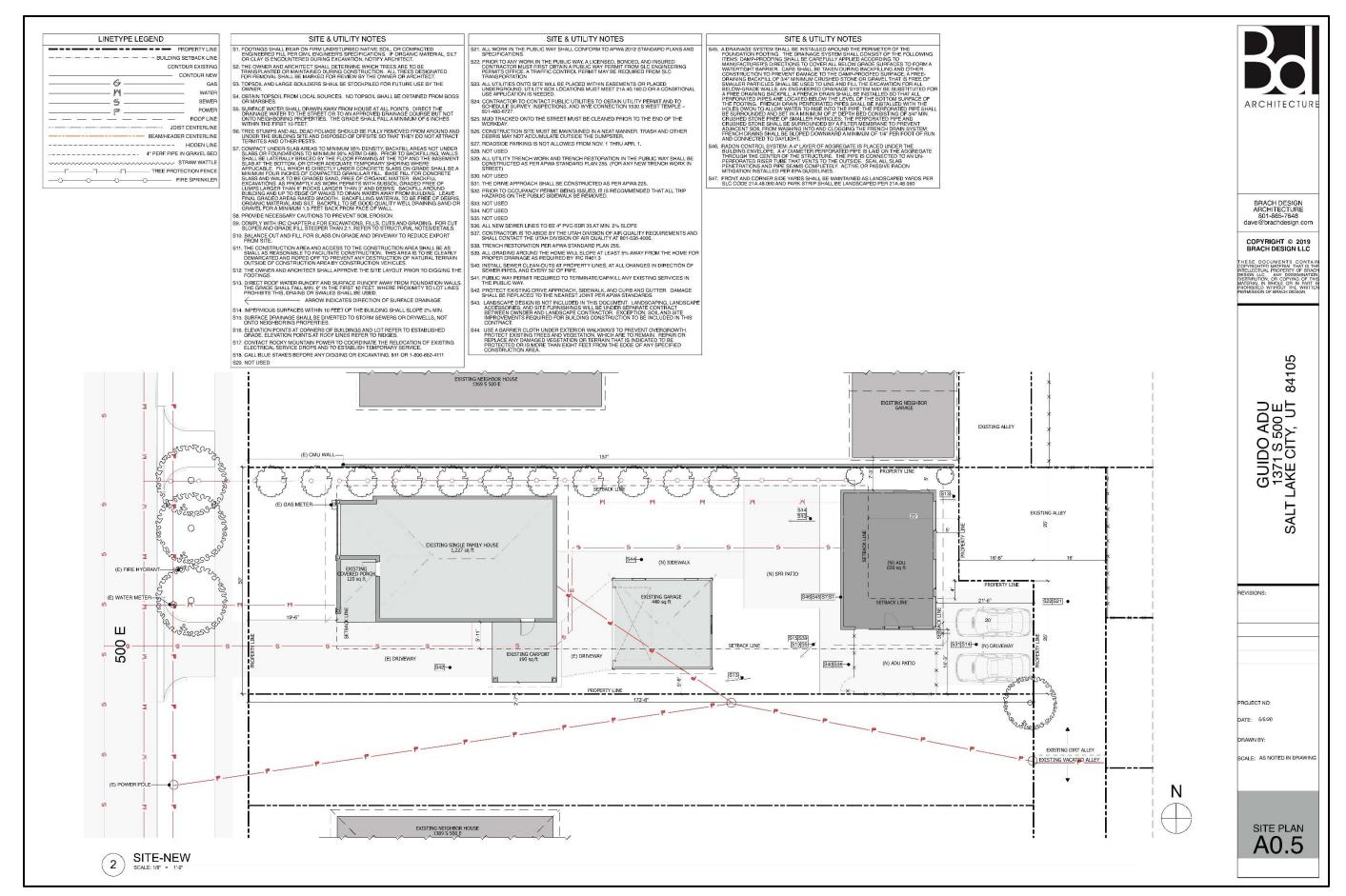
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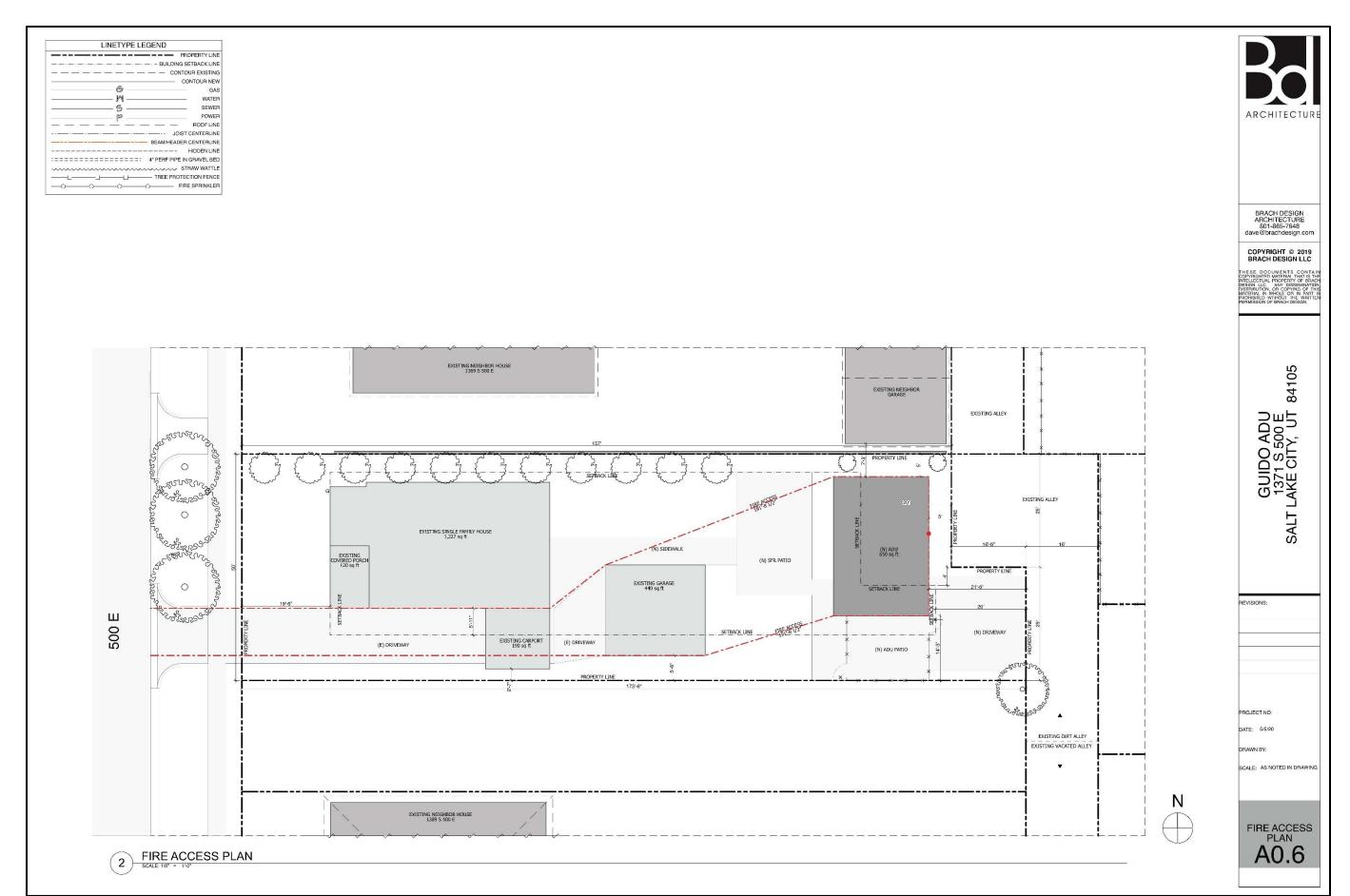
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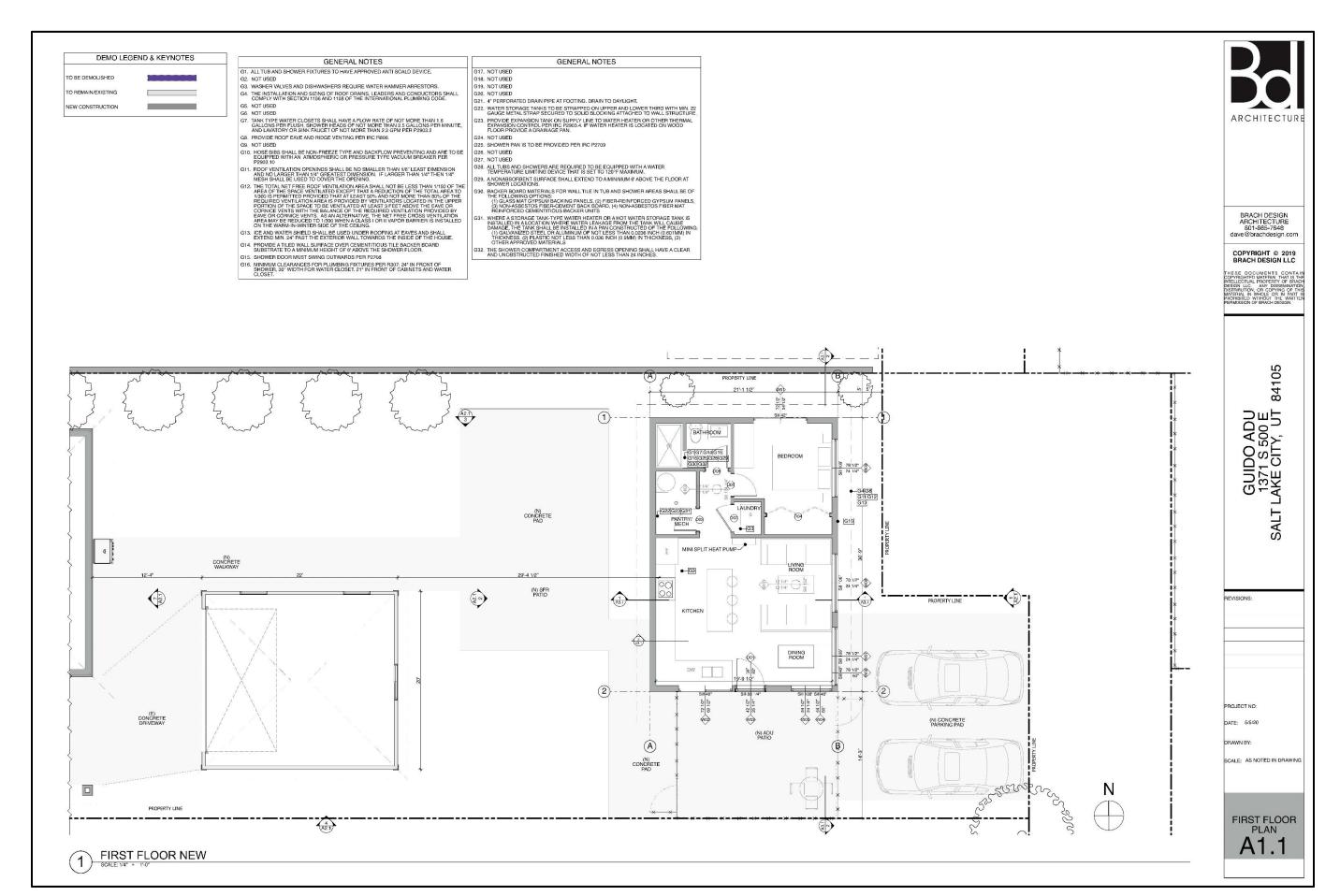
CALE: AS NOTED IN DRAWING

3D VIEWS A0.3

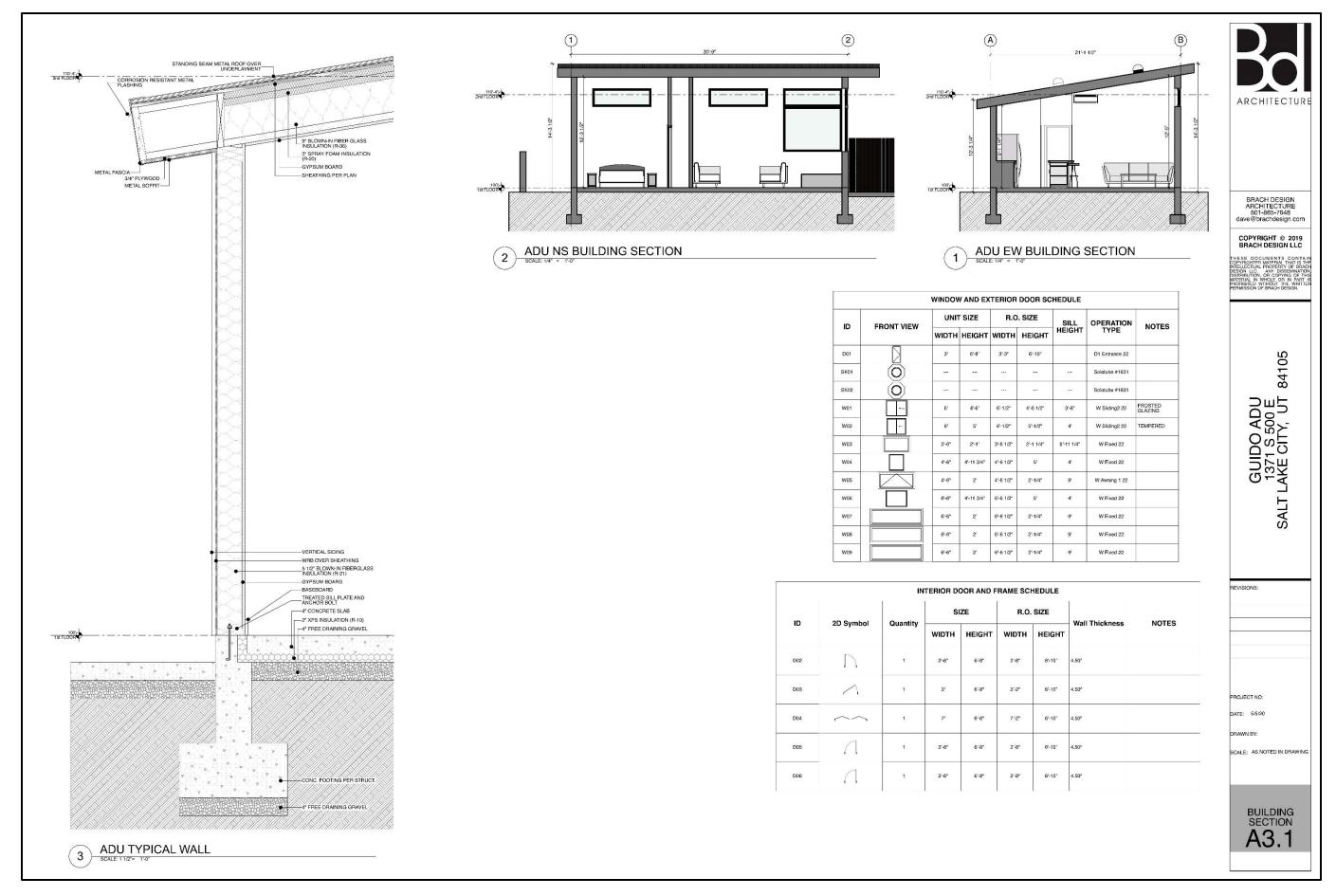












ATTACHMENT C: SITE VISIT PHOTOGRAPHS





Top Left: Southwest Elevation of Principal Building from 500 East

Top Right: Northwest Elevation of Principal Building from 500 East





Bottom Left: View of rear year from alley

Bottom Right: View of rear yard from proposed ADU parking spaces





Top Left: Rear yard facing the adjacent property to the north

Top Right:
Rear yard facing the adjacent property to the south





Bottom Left: View of alley abutting the subject property

Bottom Right: View of alley and properties east of the subject property

ATTACHMENT D: ANALYSIS OF STANDARDS - ACCESSORY DWELLING UNITS

21A.40.200: Accessory Dwelling Units

Standard	Proposed	Findings
Size An ADU shall not have a footprint that is greater than fifty percent (50%) of the footprint of the principal dwelling, and shall not exceed six hundred fifty (650) square feet (SF).	Principal dwelling (included covered porch) is approximately 1,347 SF. Fifty percent (50%) of principal dwelling equals approximately 673 SF. Proposed ADU is approximately 650 SF.	Complies
Maximum Coverage The surface coverage of all principal and accessory buildings shall not exceed forty percent (40%) of the lot. [Rear] Yard Coverage: In residential districts, any portion of an accessory building, excluding hoop houses, greenhouses, and cold frames associated solely with growing food and/or plants, shall occupy not more than fifty percent (50%) of the total area located between the rear façade of the principal building and the rear lot line.	Lot size is approximately 8,262 SF. Forty percent (40%) of the lot is approximately 3,304 SF. Primary Dwelling: 1,227 SF Covered Porch: 120 SF Attached Carport: 190 SF Detached Garage: 440 SF Proposed ADU: 650 SF Total Coverage: 2,627 SF The surface coverage of all principal and accessory buildings (including the proposed ADU) is approximately 32% of the lot. Rear yard area: 4,862 SF Detached Garage: 440 SF Proposed ADU: 650 SF Yard Coverage: 24%	Complies
Building Height The maximum height of an accessory building containing an ADU shall not exceed the height of the single family dwelling on the property or exceed seventeen feet (17) in height, whichever is less.	Height of proposed ADU is approximately 14' - 3".	Complies
Side or Rear Yard Setbacks New Accessory Buildings [ADU] shall be located a minimum of four feet (4') from any side or rear lot line.	Side [North/East] Lot Line: 4 feet Side [South] Lot Line: 15' - 3" Rear [East] Lot Line: 20' - 6"	Complies

Separation	The proposed ADU is approximately	Complies
All ADUs [located in an accessory building] shall be located a minimum of ten feet (10') from the single family dwelling located on the same parcel and any single family dwelling on an adjacent property.	The proposed ADU is approximately 63' - 8" from the principal dwelling on the same parcel. The nearest single-family dwelling on an adjacent property is approximately 56' - 8".	
Entrance Locations The entrance to an ADU in an accessory building shall be located: (1) Facing a side or rear property line provided the entrance is located a minimum of ten feet (10') from the side or rear property line.	The entrance for the proposed ADU is oriented towards the side [south] property line. The entrance is approximately 15' - 3" from the side property line.	Complies
Requirement for Windows Windows on an accessory building containing an ADU shall comply with the following standards: (1) Windows shall be no larger than necessary to comply with the minimum Building Code requirements for egress where required. (2) Skylights, clerestory windows, or obscured glazing shall be used when facing a side or rear property line to comply with minimum Building Code requirements for air and light on building elevations that are within ten feet (10') of a side or rear property line unless the side or rear property line is adjacent to an alley. (3) Except as required in subsection E3g(1) of this section, windows shall maintain a similar dimension and design as the windows found on the principal structure.	There are several windows on the south and west elevations (Window Schedule in Attachment B on Sheet A3.1). The proposed windows are similar in size and profile as the windows found on the principal structure. The proposed window on the north elevation will be within 10 feet of the side property line; therefore, it is an obscured window.	Complies
Parking An ADU shall require a minimum of one on-site parking space.	The principal dwelling has two (2) off-street parking spaces in the detached garage and an additional parking space under the attached carport, both accessed from the 500 East. The proposal would provide two (2) off-street parking spaces where a minimum of one (1) parking space is required for an ADU.	Complies

ATTACHMENT E: ANALYSIS OF STANDARDS – CONDITIONAL USE

21A.54.080: Standards for Conditional Uses

A conditional use shall be approved unless the planning commission, or in the case of administrative conditional uses, the planning director or designee, concludes that the following standards cannot be met:

1. The use complies with applicable provisions of this title;

Analysis: The proposed ADU use is located in the R-1/5,000 zoning district, which allows for an ADU to be approved through the conditional use process, subject to meeting the specific regulations for an ADU in section 21A.40.200 of the zoning ordinance. As analyzed in <u>Attachment D</u>, the ADU complies with the requirements of 21A.40.200.

Finding: The proposed use will comply with the applicable provisions of the Salt Lake City Zoning Ordinance.

2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses;

Analysis: The proposed ADU use is a small residential unit that should be readily compatible with surrounding uses, which are all single-family homes. The proposed ADU meets all the requirements in terms of setbacks and separation requirements between adjacent houses and the principal dwelling on the property.

Finding: The proposed use is compatible with the surrounding uses.

3. The use is consistent with applicable adopted city planning policies, documents, and master plans; and

Analysis: The proposal is located in the Liberty neighborhood planning area as established by the Central Community Master Plan. The master plan designates the future land use of this area as low density residential and the existing zoning on the property is R-1/5,000 Single-Family Residential.

The purpose of the R-1/5,000 Single-Family Residential District is to provide for conventional single-family residential neighborhoods. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

The purpose of accessory dwelling units are to:

- Create new housing units while respecting the appearance and scale of single-family residential development;
- 2) Provide more housing choices in residential districts;

- 3) Allow more efficient use of existing housing stock, public infrastructure, and the embodied energy contained within existing structures;
- 4) Provide housing options for family caregivers, adult children, aging parents, and families seeking smaller households;
- 5) Offer a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services;
- 6) Broaden the range of affordable housing throughout the City;
- 7) Support sustainability objectives by increasing housing close to jobs, schools, and services, thereby reducing greenhouse gas emissions and fossil fuel consumption;
- 8) Support transit-oriented development and reduce auto usage by increasing density near transit; and
- 9) Support the economic viability of historic properties and the City's historic preservation goals by allowing accessory dwellings in historic structures.

The proposed ADU is consistent with the following Residential Land Use Goals/Policies included in the Central Community Master Plan:

- Encourage the creation and maintenance of a variety of housing opportunities that meet social needs and income levels of a diverse population.
- Ensure preservation of low-density residential neighborhoods.
- Encourage a mix of rental properties for those who cannot afford or do not choose home ownership (RLU-3.2).
- Support the efforts of the Housing Division and the Redevelopment Agency to provide residential construction in all qualifying neighborhoods within the Central Community (RLU-3.5).

The proposal is also consistent with the goals and policies outlined in *Growing SLC: A Five Year Housing Plan* which aims to increase housing options, promote diverse housing stock, and allow for additional units while minimizing neighborhood impacts.

Finding: The uses are consistent with applicable adopted city planning policies, documents, and master plans.

4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions (refer to Detrimental Effects Determination analysis below).

21A.54.080B: Detrimental Effects Determination

In analyzing the anticipated detrimental effects of a proposed use, the planning commission, or in the case of administrative conditional uses, the planning director or designee, shall determine compliance with each of the following:

Standards	Finding	Rationale
1. This title specifically authorizes the use where it is located;	Complies	The proposed ADU is an accessory residential use and is allowed as a conditional use within the R-1/5,000 zoning district. The proposed ADU complies with all specific regulations for an ADU including size, height,

		setbacks, distance to other houses, etc. as outlined in <u>Attachment D.</u>
2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps;	Complies	The uses are located in an area zoned and designated by the associated master plan for low density residential. This land use designation allows moderate sized lots (i.e., 3,000-10,000 square feet) where single-family detached homes are the dominant land use. Low-density includes single-family attached and detached dwellings as permissible on a single residential lot subject to zoning requirements.
3. The use is well suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area;	Complies	Uses surrounding the subject property are generally single-family residential properties. The residential lots in this area are large enough to provide separation between the proposed ADU and the principal dwelling on the property as well as adjacent primary residences. The proposal complies with the size requirements for an ADU, which can be up to 50% of the footprint of the primary house up to 650 SF and is compatible with the scale of surrounding accessory buildings and adjacent uses.
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered;	Complies	As discussed above, the scale of the proposal is compatible with the principal dwelling on the property as well as surrounding structures. The proposal also meets the building footprint and height requirements for an ADU. An ADU may have a maximum of 17 feet; however, the proposed ADU would have a building height of 14'- 3". The proposed ADU is located in the rear yard of the site that minimizes impacts to adjacent properties.
5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;	Complies	The subject property has an existing driveway off 500 East. The proposed ADU will utilize the proposed offstreet parking in the rear yard with access from the alley. No new access points are proposed and the proposal would not impede traffic flows.
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;	Complies	The proposed ADU would be accessible from the alley. It is not anticipated that the proposed ADU would create any adverse impacts in terms of motorized, nonmotorized and pedestrian traffic.

7. The site is designed to enable access and circulation for pedestrian and bicycles;	Complies	The site is designed for pedestrian and bicycle access. There is a path from ADU patio area to 500 East through the subject property along the proposed concrete walkway.
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;	Complies	There is vehicular access to the site. No unreasonable impacts to the service level of the adjacent streets is anticipated.
9. The location and design of off- street parking complies with applicable standards of this code;	Complies	Two (2) off-street parking spaces for the proposed ADU would be provided in the rear yard with access from the alley.
10. Utility capacity is sufficient to support the use at normal service levels;	Complies	The Public Utilities department had no comments on the project.
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;	Complies	The proposed ADU may result in increased activity in the rear yard of the subject property. This must be taken into account for potential impacts to the abutting properties that appear to be single family residences. The proposal includes a new six-feet (6') wooden fence to enclose the ADU patio area and this would provide screening from the adjacent property.
12. The use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke;	Complies	The project supports sustainability objectives by increasing housing close to jobs, schools, and services, thereby reducing greenhouse gas emissions and fossil fuel consumption.
13. The hours of operation and delivery of the use are compatible with surrounding uses;	Complies	The proposed use is an accessory residential structure and is compatible with the surrounding uses that are also residential.
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses; and	Complies	Signs are not associated with this proposal. Any lighting on the accessory structure is not expected to have a negative impact on the surrounding uses or otherwise cause a nuisance.
15. The proposed use does not undermine preservation of historic resources and structures.	Complies	The property is not located within a Local Historic District and the proposal does not involve removal or any historic resources or structures.

Finding: In analyzing the anticipated detrimental effects of the proposed ADU, Staff finds that with the conditions identified in the analysis, the request complies with the criteria listed above.

ATTACHMENT F: PUBLIC PROCESS AND COMMENTS

Meetings:

December 24, 2019 – Notice of the project was provided to the Liberty Wells Community
Council as well as property owners and residents within 300 feet of the subject property. The
community council did not ask the applicant or staff to present or provide formal input on
the proposal.

Public Notice:

- Early notice of application mailed on December 19, 2019
- Public hearing notice mailed on May 1, 2020
- Public hearing sign posted on the property on May 1, 2020
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on May 1,
 2020

Public Comments:

Staff has received two (2) public comments regarding the proposal, an email and a phone call. The phone call had general questions regarding the proposal and did not indicate a position. The email received was in opposition of the proposal (see attached).

Any public comments received up to the public hearing meeting will be forwarded to the Planning Commission and included in the public record.

Mitchell, Linda

From:

Sent: Saturday, December 28, 2019 12:09 PM

To: Mitchell, Linda

Subject: (EXTERNAL) Accessory Dwelling Unit

Follow Up Flag: Follow up Flag Status: Flagged

This email is in regards to the ACU proposal at 1371 south 500 east. I am writing to request information as to when and if this matter will be discussed at an upcoming meeting, as well as to preemptively voice disapproval for this plan. I feel that if residents are incentivized to chop our properties into smaller pieces in order to monetize them through rent, and or lodging fees via air bnb style rental that it will drastically upset the character and comfort of our neighborhood. This being the first of what will presumably be many such applications with the new rulings from the city will set an example of what is to come. The accessory dwelling will require access via an alleyway which already receives too little maintenance from the city to support more traffic. It will also incentivize more building, which will pollute our field of view, require parking therefore congesting our roads. On the long term, It will further gentrify our neighborhood to a point of no return. Permitting for these types of structures, which are ultimately businesses should be granted to few, and far between. It is permissible by law, but that doesn't mean it should become the norm for the city. It is pandoras box. And once we start there is no going back. We need to consider the long term consequences to our daily lives, our community, and potential to paint ourselves into a corner so to speak, with over developing an already crowding, and gentrifying city.

I thank you for your time in considering my thoughts on this matter.

ATTACHMENT G: DEPARTMENT REVIEW COMMENTS

Fire (Doug Bateman at douglas.bateman@slcgov.com)

The ADU will be provided with fire sprinklers per the approved Alternate Means and Methods.